

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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IN RE:

CHAPTER 11

BLACK AND WHITE STRIPES, LLC

CASE NO. 20-12439 (MG)

DEBTOR

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**ORDER AUTHORIZING BLACK AND WHITE STRIPES, LLC TO RETAIN THE  
LAW OFFICES OF THE LAW OFFICES OF CUSHNER & ASSOCIATES, P.C AS  
ATTORNEYS FOR THE DEBTOR AND DEBTOR-IN-POSSESSION**

Upon the annexed application of Black and White Stripes, LLC requesting authorization to employ Cushner & Associates, P.C. under a general retainer as counsel to represent Black and White Stripes, LLC dated October 19, 2020 (the "Application"); the annexed affidavit of James J. Rufo, Esq., sworn to on October 19, 2020; and it appearing that Cushner & Associates represent no interest adverse to the Estate in the matters upon which the Cushner & Associates will be engaged; and that the employment of Cushner & Associates is necessary and would be in the best interest of the Estate; and that this is a case justifying a general retainer; and that Cushner & Associates is a disinterested person within the meaning of Bankruptcy Code Sections 101(14) and 327(a); it is

**ORDERED**, that the Application is granted as set forth herein; and it is further

**ORDERED**, that pursuant to § 327(a) of the Bankruptcy Code, the Debtor is authorized to retain the Law Offices of Cushner & Associates, P.C. as his attorneys in this case; and it is further

**ORDERED**, that the compensation and reimbursement of expenses of Cushner & Associates shall be sought upon, and paid only upon an order granting, a proper application pursuant to §§ 330 and 331 of the Bankruptcy Code, as the case may be, and the applicable

Bankruptcy Rules, Local Rule and fee and expense guidelines and orders of this Court; and it is further

**ORDERED**, that at least ten (10) days before implementing any increase in the rates of the law firm of Cushner & Associates professionals providing services in this case, the law offices of Cushner & Associates shall file and serve the United States Trustee and any official committee a supplemental affidavit providing justification for any such rate increases and stating whether the Debtor has agreed to them. All parties in interest retain the right to object to any rate increase on any grounds; and it is further

**ORDERED**, that Cushner & Associates shall apply any remaining amounts of its prepetition retainer as credit toward post-petition fees and expenses, after such post-petition fees and expenses are approved pursuant to the first Order of the Court awarding fees and expenses to the Cushner & Associates; and it is further

**ORDERED**, that the Court shall retain jurisdiction to hear and determine all matters arising out of the implementation of this Order; and it is further

**ORDERED**, that if there is any inconsistency between the terms of this Order, the Application, and the supporting Affidavit, the terms of the Order shall govern.

Dated: New York, New York

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Hon. Martin Glenn  
United States Bankruptcy Judge

NO OBJECTION  
United States Trustee  
William K. Harrington  
Dated:

By: /s/  
Paul K. Schwartzberg  
Trial Attorney